

Appl. No. 10/811,780
Amdt. dated March 1, 2006
Reply to Office Action of December 23, 2005

Atty. Ref. 81754.0127
Customer No. 26021

Remarks/Arguments

Reconsideration of this application is requested.

Claim Status

Claims 1-20 are pending. Claims 1, 3, 4, 11, 13, 14 and 20 are amended.

Allowable Subject Matter

The indication of allowable subject matter in claims 7 and 17 is noted and appreciated.

Claim Rejections - 35 USC 102 and 103

Claims 1-2, 8-12 and 18-20 are rejected under 35 USC 102(b) as anticipated by Miyamoto (GB 2292866) and under 35 USC 102(e) as anticipated by Iiyama (US 6,489,883). Claims 3-5 and 13-15 are rejected under 35 USC 103(a) as obvious over Miyamoto. Claims 6 and 16 are rejected as obvious over Miyamoto in view of Iiyama. In response, independent claims 1, 11 and 20 are amended to clearly distinguish over Miyamoto and Iiyama.

Applicant's FIG. 1 and paragraph [0019] discloses a changeover switch 15 having a first connection terminal 15-2a for connection of a transceiving device 13 to the resonance circuit and a second connection terminal 15-2b for connection of transceiving device 13 to the booster circuit. Neither Miyamoto nor Iiyama disclose or suggest a changeover switch configured in this manner, which is now emphasized in independent claims 1, 11 and 20 as amended.

In FIG. 1, Miyamoto discloses a single diode 2 that functions as a single switch for turning on the power source connected to first power line 10a. Primary battery 1 serves as the first power source (Miyamoto, page 13, lines 5-18). Miyamoto discloses only one switching means for the first power source 1. Thus, Miyamoto fails to disclose or suggest a changeover switch as recited in claim 1.

In FIG. 1, Iiyama discloses electric-supply switching circuit 9 for comparing the output voltage of electric-supply circuit 4 and the output voltage of battery 29 supplied by switching circuit 8 (Iiyama, col. 6, lines 12-21). Iiyama does not disclose

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or suggest that switching circuit 9 connects transceiving device 1 to a resonance circuit and a booster circuit.

Thus, Miyamoto and Iiyama do not disclose or suggest a changeover switch having a first connection terminal for connection of the transceiving device to the resonance circuit and a second connection terminal for connection of the transceiving device to the booster circuit, as required by claims 1, 11 and 20 as amended. Miyamoto only discloses a single diode 2 that functions as a single switch, and Iiyama does not specifically disclose or suggest that the switching circuit 9 connects the transceiving device 1 to a resonance circuit and a booster circuit.

The Action, at page 6 asserts that the claimed configuration of the changeover switch is a mere matter of design choice and that changing the connection of Miyamoto's changeover switch would not modify the operation of the chargeable card of Miyamoto. For the following reasons, applicant respectfully disagrees.

In FIG. 1, Miyamoto discloses that diode 2 serves as a switch for turning on and off battery source 1 connected to first power line 10a (Miyamoto, page 13, lines 5-7). Thus, diode 2 of Miyamoto switches between an "on" state and an "off" state of battery source 1 and does not switch between a state where the antenna coil forms a resonance circuit of the transceiving device and a state where the antenna coil forms a booster circuit, as recited in the claims of the present invention.

Moreover, in FIG. 2, Miyamoto discloses that power supply controller 14 switches between battery source 1 of power line 10a at a first terminal and rectified voltage source 18 of power line 11a at a second terminal (Miyamoto, page 15, lines 18-19). Hence, power supply controller 14 of Miyamoto switches between a rectified voltage supply circuit 11a and a battery voltage supply circuit 10a and does not switch to a booster circuit, at either terminal, in a state where the antenna coil forms a booster circuit, as recited in the claims of the present invention.

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Configuration of the changeover switch is not a mere matter of design choice because Miyamoto does not disclose a switch having a terminal that switches to a booster circuit or to a state where the antenna coil forms a booster circuit. A design choice implies that diode 2 or power supply controller 14 of Miyamoto could be configured to switch to a booster circuit. However, since Miyamoto does not disclose or suggest a booster circuit in the designs of non-contact IC cards 110, 111, diode 2 or power supply controller 14 cannot switch to a booster circuit.

For these reasons, the rejections of claims 1-6, 8-16 and 18-20 under 35 USC 102 and 103 should be withdrawn. Dependent claims 3, 4, 13 and 14 are amended for consistency with the amendments to claims 1 and 11.

Claim Rejections – Double Patenting

Claims 1, 8 and 11 are also subject to a provisional double patenting rejection over claims 1, 2, 6 and 11, or claims 14, 18 and 19 of co-pending application 10/811,790. However, USSN 10/811,790 does not claim a changeover switch configured as set forth in amended claims 1, 11 and 20. Accordingly, the provisional double patenting rejections should be withdrawn.

Conclusion

This application is now believed to be in condition for allowance. The Examiner is invited to telephone the undersigned to resolve any issues that remain after entry of this amendment. Any fees due with this response may be charged to our Deposit Account No. 50-1314.

Respectfully submitted,
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